

**E-Filing**

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8

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN FRANCISCO DIVISION

12 PLUMTREE SOFTWARE, INC., a Delaware )  
 13 corporation, )

14 Plaintiff, )

15 v. )

16 DATAMIZE, L.L.C., a Wyoming limited )  
 17 liability corporation, )

18 Defendant. )  
 19 )  
 20 )  
 21 )

CASE NO.: C 04-2777 VRW

**STIPULATED REQUEST FOR AN  
 ORDER AND ~~PROPOSED~~ ORDER  
 ENLARGING THE DEADLINE FOR  
 PLAINTIFF PLUMTREE  
 SOFTWARE'S INC.'S ATTORNEY'S  
 FEES MOTION AND BILL OF COSTS  
 [CIVIL L.R. 6-2]**

22 Pursuant to Local Rules 6-2, 7-12 and 54-6, Plumtree Software, Inc. ("Plumtree") and  
 23 Datamize, L.L.C. ("Datamize") jointly submit this stipulation to request that the Court enlarge the  
 24 deadline for the filing of Plaintiff Plumtree Software, Inc.'s ("Plumtree") motion for attorney's  
 25 fees and bill of costs.

26 As shown below, good cause exists for this request:

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- On September 13, 2005, the Clerk entered judgment in this action in favor of Plumtree pursuant to an Order of this Court dated September 12, 2005 granting Plumtree's Motion for Summary Judgment.
- Pursuant to Local Rules 54-1 and 54-6 and the Federal Rules of Civil Procedure, Plumtree's deadline for filing a bill of costs is currently scheduled for 14 days after entry of judgment, September 27, 2005.
- Datamize intends to appeal the Court's September 12, 2005 Order to the Court of Appeals for the Federal Circuit.
- Both parties agree that party and judicial resources would best be served by considering any motion for attorney's fees or costs bill, if any, after resolution of Datamize's appeal.

Accordingly, the parties request that the Court enlarge Plumtree's deadline for filing any costs bill or motion for attorney's fees until 30 days after the opinion by the Federal Circuit is issued.

Dated: September 23, 2005

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

By: /s/ Bart E. Volkmer  
Bart E. Volkmer

Attorneys for Plaintiff  
PLUMTREE SOFTWARE, INC.

Dated: September 23, 2005

MCKOOL SMITH, P.C.

By: /s/ Garret Chambers  
Garret Chambers

Attorneys for Defendant  
DATAMIZE, L.L.C.

**ECF CERTIFICATION**

I, Bart E. Volkmer, am the ECF User whose identification and password are being used to file this ADR Certification. In compliance with General Order 45.X.B, I hereby attest that Garret Chambers has concurred in this filing.

Dated: September 23, 2005

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

By: /s/ Bart E. Volkmer  
Bart E. Volkmer

Attorneys for Plaintiff  
PLUMTREE SOFTWARE, INC.

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED. Plumtree's deadline for filing any costs bill or motion for attorney's fees is extended until 30 days after the opinion by the Federal Circuit is issued.

Dated: \_\_\_\_\_



The Honorable Vaughn R. Walker  
CHIEF UNITED STATES DISTRICT JUDGE